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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

In the Matter of	:	
	:	Administrative Action
TERRI A. GILLIAM, D.D.S.	:	
License No. DI 13710	:	
	:	
Licensed to Practice	:	FINAL ORDER
Dentistry in the	:	OF DISCIPLINE
State of New Jersey	:	
	:	

This matter was opened when the New Jersey State Board of Dentistry ("Board") entered a Provisional Order of Discipline on December 1, 1998 based on respondent Terri A. Gilliam's failure to comply with the continuing education terms of a Consent Order entered on June 5, 1997 and failure to respond to a Board Uniform Penalty Letter dated May 21, 1998. The Provisional Order permitted respondent to request a modification or dismissal of that Order by submitting a request to the Board in writing not later than January 15, 1999. By letter dated January 13, 1999 (received by the Board on January 19, 1999), Dr. Gilliam responded to the Provisional Order. She submitted a check for \$500 and claimed that she had completed the courses required by the Consent order. She asserted that "the only problem with the coarses [sic] that I completed was the fact that they were not previonsly [sic] approved by the board." While the submission was received after the deadline, the Board has nonetheless considered Dr. Gilliam's response.

The Board has again reviewed proofs of continuing education submitted by respondent on November 10, 1997 and May 4, 1998. Respondent submitted proofs for fifty three (53) credits. The

Board's initial review of that course work demonstrated that respondent had completed sufficient course work to satisfy the forty credits required for the 1995-1997 renewal period, but had failed to comply with the remedial continuing education requirements of the June 5, 1997 Consent Order. She was advised of the deficiencies by Uniform Penalty Letter dated May 21, 1998 (resent on July 21, 1998). Respondent took no action between that time and now to address the deficiencies. The Board's current review has not changed that conclusion.

The Board notes, and respondent has admitted, that none of the credits purported to satisfy the remedial education aspects of Board's order were pre-approved, as specifically required by the order. Further, the courses themselves are not of the type required by the June 5, 1997 order. That order, in addition to the forty (40) credits required for the renewal period 1995-1997, specifically required seven (7) hours in diagnosis and treatment planning, seven (7) hours in basic periodontics, and seven (7) hours in post and core. An examination of proofs submitted shows that only one course, "Power Periodontics: Beyond the Limits of Soft Tissue Management," taken at Temple University on October 15, 1997 for three (3) credits, meets the specified requirements. The remaining eighteen (18) remedial continuing education credits have not been satisfied. The Board also notes here that its current review demonstrates that respondent, in support of her 1997-1999 renewal, submitted the same course work previously supplied to satisfy the terms of the June 5, 1997 Consent Order. Of the fifty three (53) credits submitted, the Board has accepted forty (40)

credits for the 1995-1997 renewal requirements and has accepted three (3) credits toward the remedial requirements of the June 5, 1997 Consent Order. Respondent therefore has provided proof of only ten (10) credits of the forty (40) required for the renewal period 1997-1999. Those courses were to be completed by April 30, 1998.

Respondent's continued failure to comply with a Board Order regarding remedial continuing education and continuing education requirements for the 1997-1999 renewal period, and in particular the submission of the same coursework for two renewal periods, her failure to respond to a Uniform Penalty Letter, and her late response to the Provisional Order, reflects a lack of respect for the Board's authority and underscore the appropriateness of the findings and sanctions embodied here. The Board, therefore, adopts the following.

#### FINDINGS OF FACT

1. Terri A. Gilliam, D.D.S. (respondent) has been a licensee of the Board at all times relevant hereto.

2. On June 5, 1997, respondent entered into a Consent Order with the Board to resolve a matter involving a patient complaint. The Board determined that respondent's care of the complainant did not conform to standard dental practice in the State of New Jersey. Additionally, respondent had failed to complete the necessary continuing education course work for 1995-1997 biennial license renewal period.

3. Pursuant to the terms of the 1997 Consent Order, (attached as Exhibit A and made a part of this Order), respondent

was required to pay civil penalties totaling \$3,000.00, costs in the amount of \$115.21, and successfully complete seven (7) hours of continuing education in diagnosis and treatment planning, seven (7) hours in basic periodontics, and seven (7) hours in post and core, in addition to the regularly required continuing education hours for the 1995-1997 and 1997-1999 biennial renewal periods (emphasis added).

4. On May 21, 1998, the Board Office sent a Uniform Penalty Letter by certified and regular mail to respondent advising her that she had failed to comply with the terms of the Consent Order and that such failure to comply with a Board Order constituted professional misconduct pursuant to N.J.A.C. 13:45C-1.4. Respondent was offered the opportunity to settle the matter by paying a civil penalty in the amount of \$500.00 and completing the required course work. (Uniform Penalty Letter and certified mail return receipt attached as Exhibit B and made a part of this Order).

5. A second copy of the May 21, 1998 letter was sent to respondent by regular mail on July 21, 1998 based on respondent's representation during a telephone call with Deputy Attorney General Patricia DeCotiis on July 7, 1998 that she had not received the initial letter.

6. Until January 19, 1999, after the deadline for submitting a request for modification of the Board's provisional order, no response had been received by the Board.

7. To date respondent has submitted proof of fifty three (53) hours of continuing education. The Board has allocated

those credits as follows: forty (40) hours of continuing education for the 1995-1997 renewal period, ten (10) hours of continuing education for the 1997-1999 renewal period, and three (3) hours of continuing education toward the required twenty one (21) hours of remedial continuing education credits.

8. Respondent has not satisfied the following continuing education requirements as set forth In the June 5, 1997 Consent Order: seven (7) hours of diagnosis and treatment planning, seven (7) hours of post and core, four (4) hours of basic periodontics, and thirty (30) hours of continuing education credits for the 1997-1999 renewal period.

9. Respondent's letter of January 13, 1999 and previous submissions do not satisfy the requirements of the prior Board order. Respondent has not provided a basis to modify the terms of the Provisional Order (except as to payment of the \$500 penalty) or to conduct any further proceedings in this matter.

#### CONCLUSION OF LAW

Respondent's actions as set forth in this Order constitute acts of professional misconduct in violation of N.J.A.C. 13:45C-1.4 (based on respondent's failure to comply with a Board order or respond to the Board's Uniform Penalty Letter) and a violation of N.J.A.C. 13:30-8.18 setting forth continuing education requirements. The Board cannot countenance actions which flout the authority of the regulatory body whose purpose is to ensure the health, safety, and welfare of the public. Her actions demonstrate a lack of appreciation of the responsibilities of Board licensees to both the public and to the Board. The violations set forth

above provide grounds for discipline pursuant to N.J.S.A. 45:1-21(e) and N.J.S.A. 45:1-21(h).

IT IS, THEREFORE, on this 3<sup>rd</sup> day of February, 1999,

ORDERED that:

1. The license of **TERRI A. GILLIAM D.D.S.** to practice dentistry in the State of New Jersey is hereby suspended until such time as proof is presented to the Board that the following continuing education requirements have been satisfied:

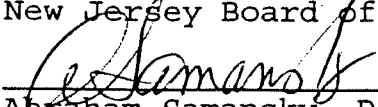
(a) Eighteen continuing education credits as imposed by the June 5, 1997 Consent Order, specifically, seven (7) hours of diagnosis and treatment planning, seven (7) hours of post and core, and four (4) hours of basic periodontics. The courses shall be approved by the Board in writing prior to attendance, using the attached pre-approval sheet. Respondent shall also complete the attached continuing education report and proof of attendance as proof of successful completion of the required course work. A separate form shall be used for each course.

(b) Thirty credits as required by the June 5, 1997 Consent Order and N.J.A.C. 13:30-8.18 for the renewal period 1997-1999 (proof of ten of forty credits having been previously submitted).

2. Respondent shall derive no financial remuneration directly or indirectly related to patient fees paid for dental services rendered by other licensees for patients of respondent's practice. The attached "Directives Regarding Future Activities of Board Licensee Who Has Been Suspended/Revoked and Use of the Professional Premises" is hereby incorporated into this Order.

3. Credits required for compliance with this order and for reinstatement of respondent's license to practice dentistry are in addition to the forty (40) continuing education credits necessary for renewal of respondent's license for the 1999-2001 renewal period, which credits must be completed by October 31, 1999.

New Jersey Board of Dentistry

  
Abraham Samansky, D.D.S., President